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TO: USPTO - CENTRAL NO

VARIAN, INC.

NO. 0597 P. 1

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To Commissioner for Patents
Company UNITED STATES PATENT AND TRADEMARK OFFICE
Fax number 1.703.872.9306

From Edward H. Berkowitz

Date June 30, 2005

Subject US Patent Application No. 10/820,621
Filing Date: April 8, 2004
Varian Docket No. 98-51 US



Pages (including this sheet) 3

I, Debbie Kus, hereby certify that on June 30, 2005 this
correspondence is being transmitted by facsimile to the Commissioner
for Patents at 1.703.872.9306 at the US Patent and Trademark Office.

Signature

6/30/05

Date Signed

Please see the attached response to the Requirement for Restriction and Election of Claims for the
above referenced patent application.

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VARIAN, INC.

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DOCKET NO.: 98-51 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Phillip A. Hornung

Examiner: Arana, L.M.

Serial No.: 10/820,621

Art Unit: 2859

Filed: April 8, 2004

For: OPTIMIZED CHANNEL
CONTROLLER FOR NMR
APPARATUS

I, Debbie Kus, hereby certify that on June 30, 2005 this correspondence
is being transmitted by facsimile to the Commissioner for Patents at
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Debbie Kus 6/30/05
Signature Date Signed

Commissioner for Patents
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RESPONSE TO REQUIREMENT FOR RESTRICTION
AND ELECTION OF CLAIMS

Sir:

In response to the Requirement for Election mailed June 3, 2005 for the above
application, Applicant responds herein:

Mandatory Election

As required by 35 USC §121, Applicant elects the group I of claims comprising
claims 1-13 and 17- 20 with traverse.

Remarks

The MPEP at paragraph 803 states that

"If the search and examination of an entire application can be made without
serious burden, the examiner must examine it on the merits, even
though it includes claims to independent or distinct inventions."

A search directed to the claims of group II is necessarily identical to the search
directed to group I. The common subject matter is the controller that is identified by the
Examiner as a sub-combination and which is expressed again in claim 14. Indeed, Applicant
has suggested that the fields of "frequency agile radar, arbitrary radio frequency (RF)
generation, pulsed magnetic field sources and time domain instrumentation" enjoy a
commonality of relevance with the instant work. Applicant welcomes a searching

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examination based upon references from any of these fields or others that the Examiner may find relevant.

Efficient operation of the patent prosecution process is beneficial to the tax-paying public, the Examiner, Applicant and Applicant's attorney. An unnecessary duplication of effort and multiplication of paper will result from maintenance of the restriction. Applicant respectfully requests reconsideration of the requirement and prosecution of the application as a whole.

Respectfully submitted,



Edward H. Berkowitz
Attorney for Applicant
Registration No. 27,771

Date: June 30, 2005

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